



**PANEL DECISIONS AND
ARBITRATION AWARDS
APRIL 2010 – MARCH 2011**

INITIAL COLLECTIVE
BARGAINING AGREEMENT

DHS, Bureau of Customs and
Border Protection,
Washington, DC and NTEU,
Case No. 10 FSIP 10
(January 11, 2011); O&D,
Member Malin

Issues: Parts of 19
articles, including Access
to Facilities, Attire and
Appearance, Duration, EEO,
Reassignments, Official
Time.

FIREARMS/USE OF FORCE

POLICY

DHS, Bureau of Customs and
Border Protection, Washington,
DC and NBPC, AFGE, AFL-CIO,
Case No. 09 FSIP 47 (July 2,
2010); Panel D&O

Issue: Private factfinder's
recommendation regarding who
should complete CBP Form 318.

DHS, Bureau of Customs and
Border Protection, Washington,
DC and NTEU, Case No. 09 FSIP
65 (May 14, 2010); Panel D&O

Issue: Overnight storage of
firearms.

UNION PARTICIPATION ON COMMITTEES

DVA, Veterans Benefits
Admin., Columbia Reional
Office, Columbia, SC and
Local 520, AFGE, AFL-CIO,
Case No. 10 FSIP 88
(January 12, 2011); Panel
D&O (OSC)

Issue: Whether a previous
MOU should be imposed
concerning maintenance and
destruction of veterans'
records.

TRANSPORTATION POLICY

Dept. of HUD, Region 9, San
Francisco, CA and Local
1450, NFFE, IAMAW, AFL-CIO,
Case No. 10 FSIP 6 (June 3,
2010); O&D, Member Angelo

Issue: Terms of a pilot
carpool subsidy program.

GROUND RULES

DOJ, FBOP, Federal
Correctional Institution,
Miami, FL and Local 3960,
AFGE, AFL-CIO, Case No. 11
FSIP 1 (January 25, 2011);
O&D, Member Angelo

Issues: Ground rules for LMR
meetings, including official
time and attendance of dept.
heads

GRIEVANCE PROCEDURE

DOD, NGB, Colorado Air
National Guard, Centennial,
CO and Local 48, ACT, Case
No. 10 FSIP 138 (February
14, 2011); Panel D&O (OSC)

Issue: Should the grievance
procedure exclude performance
appraisal ratings?

OFFICE RENOVATIONS AND

RELOCATIONS

SSA, Globe-Miami Residence
Station, Globe, AZ and
Local 3694, AFGE, AFL-CIO,
Case No. 11 FSIP 47 (March
17, 2011); O&D, Member
Franklin

Issues: Whether PWBW design
should be adopted; protections
against adverse affects of
relocation.

SSA, Pocatello Field
Office, Pocatello, ID and
Local 3937, AFGE, AFL-CIO,
Case No. 11 FSIP 43 (March
11, 2011); O&D, Member
Wasserman

Issue: Whether PWBW design
should be adopted.

Dept. of Treas., Internal
Revenue Service, City View
Plaza Post of Duty, Guaynabo,
PR and Chapter 193, NTEU, Case
No. 10 FSIP 52 (July 2, 2010);
Panel D&O

Issue: Private factfinder's
recommendation regarding monthly
parking rates for employees.

Dept. of HUD, Philadelphia
Regional Office, Philadelphia,
PA and Local 2032, AFGE, AFL-
CIO, Case No. 10 FSIP 67 (June
29, 2010); O&D, Member Johnson

Issues: Training/conference room;
telework; change in duty
stations.

GROOMING STANDARDS

DOJ, Federal Bureau of
Prisons, Federal Medical
Center, Rochester, MN and
Local 3947, AFGE, AFL-CIO,
Case No. 10 FSIP 35 (June 8,
2010); O&D, Member Angelo

Issues: Length of natural nails
and wearing of artificial
nails and nail extenders.

TOBACCO USE POLICY

DHHS, National Institutes
of Health, Bethesda, MD and
DC Local Lodge #1, FOP,
Case No. 10 FSIP 87
(October 5, 2010); Panel
D&O

Issue: Whether police officers
should be permitted to continue
to use tobacco on the Bethesda
Campus.

USE OF DINING FACILITIES

Dept. of the Air Force, Luke
Air Force Base, Luke AFB, AZ
and Local 1547, AFGE, AFL-
CIO, Case No. 10 FSIP 97
(September 15, 2010); O&D;
Member Hartfield

Issue: Whether civilian
employees should be permitted
to use military dining
facilities.

ESTABLISHMENT AND
TERMINATION OF
ALTERNATIVE WORK
SCHEDULES UNDER THE
ACT/STATUTE

DHS, CIS, San Jose Field
Office, San Jose, CA and
Local 1616, AFGE, AFL-CIO,
Case No. 10 FSIP 113
(January 11, 2011); O&D,
Member Angelo

Issue: Whether a 5-4/9 CWS
with 6 a.m. starting time is
likely to cause adverse agency
impact (Act).

Dept. of the Air Force,
309TH AMARG, Davis-Monthan
AFB, Tucson, AZ and Local
2924, AFGE, AFL-CIO, Case
No. 10 FSIP 94 (January 11,
2011); O&D, Member Franklin

Issue: Whether a 5-4/9 CWS for
employees in the 309th AMARG is
likely to cause adverse agency
impact (Act).

Dept. of the Army,
Installation Management
Command, Army Garrison, Ft.
Wainwright, AK and Local 1834,
AFGE, AFL-CIO, Case No. 10
FSIP 128 (October 18, 2010);
O&D, Member Malin

Issue: Whether Motor Pool
Drivers' 4/10 CWS should be
terminated.

DOJ, FBOP, Federal
Correctional Institution
Sheridan, OR and Local 3979,
AFGE, AFL-CIO, Case No. 10
FSIP 72 (September 10,
2010); O&D, Chair Jacksteit

Issues: Whether Powerhouse
employees should be permitted
to work 12-hour shifts
(Statute).

Dept. of the Air Force, Air
Force Test Flight Center,
Edwards AFB, CA and SPORT Air
Traffic Controllers
Organization, Case No. 10 FSIP
92 (August 13, 2010); O&D,
Member Wasserman

Issue: Whether ATCs' 4/10 CWS
should be terminated.

DOJ, FBOP, Federal
Correctional Institution
Williamsburg, Salters, SC and
Local 525, AFGE, AFL-CIO, Case
No. 10 FSIP 55 (June 29,
2010); O&D, Member Malin

Issues: Number of employees on a
4/10 CWS in Unit Management;
starting times and RDOs;
criteria for removal (Statute).

DOJ, Federal Bureau of
Prisons, U.S. Penitentiary,
Leavenworth, KS and Local 919,
AFGE, AFL-CIO, Case No. 09
FSIP 62 (March 26, 2010); O&D,
Member Angelo

Issue: Whether a 5-4/9 CWS for
Facilities Department employees
is likely to cause adverse
agency impact (Act).

DOJ, Federal Bureau of
Prisons, Federal Correctional
Institution, Texarkana, TX and
Local 2459, AFGE, AFL-CIO,
Case No. 09 FSIP 99 (February
13, 2010); O&D, Member
Hartfield

Issue: Whether a 4/10 CWS
for Correctional Services
Department employees is
likely to cause adverse
agency impact (Act).